

UNITED STATES DISTRICT COURT

for the
EASTERN DISTRICT OF WISCONSIN

In the Matter of the Search of

Case Number: 13mc29

A USPS Priority Mail parcel with tracking number 9505 5105 4054 3130 5865 13 addressed to "Mary White, 3292 Kangaroo Beach Rd, Baileys Harbor, WI 54202" and containing the return address "M. White, 3292 Kangaroo Beach Rd, Baileys Harbor, WI 54202"

USDC EDWI FILED IN GREEN BAY DIV. MAY 14 2013 AT _____ O'CLOCK _____ M JON W. SANFILIPPO
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APPLICATION & AFFIDAVIT FOR SEARCH WARRANT

I, Derik Thieme, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

A USPS Priority Mail parcel with tracking number 9505 5105 4054 3130 5865 13 addressed to "Mary White, 3292 Kangaroo Beach Rd, Baileys Harbor, WI 54202" and containing the return address "M. White, 3292 Kangaroo Beach Rd, Baileys Harbor, WI 54202"

located in the Eastern District of Wisconsin there is now concealed: **Please see attached affidavit, which is hereby incorporated by reference.**

The basis for the search warrant under Fed. R. Crim. P. 41(c) is which is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of a crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Title 21, United States Code, Sections 841(a)(1), 843(b), and 844(a).


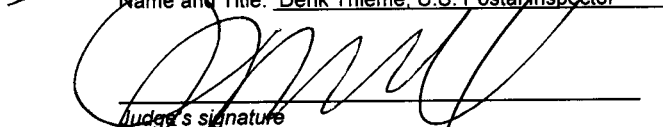
The application is based on these facts:

- ☒ Continued on the attached sheet, which is incorporated by reference.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me, and signed in my presence.

Date 5-14, 2013

City and state: Green Bay, Wisconsin


Applicant's signature
Name and Title: Derik Thieme, U.S. Postal Inspector

Judge's signature
THE HONORABLE JAMES R. SICKEL
United States Magistrate Judge
Name & Title of Judicial Officer

AFFIDAVIT

Derik Thieme, United States Postal Inspector, being duly sworn, states the following information was developed from his personal knowledge and from information furnished to him by other law enforcement agents and professional contacts:

1. I have been employed by the United States Postal Inspection Service for approximately ten years. My duties include investigating the use of the U. S. Mails to illegally send and receive controlled substances and drug trafficking instrumentalities. I have participated in investigations which have resulted in the arrest of individuals who have received and distributed controlled substances using the U.S. Mail, as well as the seizure of the illegal drugs and proceeds from the sale of those illegal drugs. My training and experience includes identifying packages with characteristics indicative of criminal activity, namely, the possession and distribution of controlled substances.
2. The Postal Inspection Service has implemented a U.S. Mail Narcotic Interdiction Program nationwide. This program consists of a physical inspection of mail parcels which have been mailed from locations throughout the country. Packages bearing identifiable characteristics of drug parcels are subjected to a certified narcotics dog trained to detect controlled substances.
3. This affidavit is submitted in support of an application for a search warrant for a 8.5 inch by 5.5 inch by 1.5 inch U.S.P.S. Priority Mail parcel with tracking number 9505 5105 4054 3130 5865 13, mailed from South Prairie, WA 98385 on May 10, 2013. The parcel can more particularly be described as a white, small size flat rate Priority Mail box containing handwritten address information on the front of the parcel. The parcel is addressed to "Mary

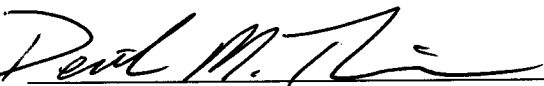
White, 3292 Kangaroo Beach Rd, Baileys Harbor, WI 54202” and bears a return address of “M. White, 3292 Kangaroo Beach Rd, Baileys Harbor, WI 54202”. The parcel weighs approximately 1 pound, 4 ounces and has \$5.80 in postage.

4. On May 13, 2013, Postal Inspectors were notified by the Green Bay, WI Mail Processing Facility regarding a suspicious Priority Mail parcel from South Prairie, WA that was being processed for delivery in Baileys Harbor, WI 54202. The parcel was initially identified due to it containing the same return address and delivery address of Baileys Harbor, WI while having a postmark from South Prairie, WA. A USPS supervisor who was looking at the parcel also detected a strong odor similar to marijuana coming from the parcel. The parcel originated from Washington which is a known source state for controlled substances, particularly marijuana. I directed the Green Bay Post Office to hold the parcel until I could retrieve it for further investigation.
5. On May 13, 2013 I retrieved the Priority Mail parcel in Green Bay, Eastern District of Wisconsin, from the Green Bay Post Office and noticed, based on my training and experience, that the parcel had a very strong odor of marijuana. I queried U.S.P.S. and Accurint law enforcement databases and received information regarding the delivery address address, “Mary White, 3292 Kangaroo Beach Rd, Baileys Harbor, WI 54202”. According to both sources, the name Mary White was known to be associated with the address. The return address, which was the same as the delivery address, is however not the true return address given the fact that the parcel was mailed from South Prairie, WA. I know from conducting previous narcotics investigations that individuals using the U.S. Mail to send controlled substances may not use a valid return address in order to conceal their identity. Individuals sending and receiving

controlled substances may also use Priority or Express Mail with tracking numbers so that they may monitor the shipping progress of controlled substances that were sent.

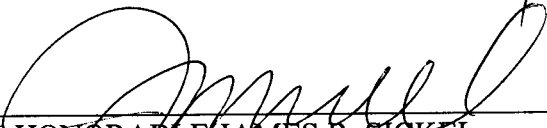
6. On May 13, 2013, I contacted Wisconsin State Patrol K-9 Trooper Kevin Schneider who agreed to assist with my investigation. Trooper Schneider is a trained and experienced handler of a certified drug detection dog named "Ema". Trooper Schneider explained that Ema is trained in detecting the presence of marijuana, cocaine, heroin, and methamphetamine, and was last certified in detecting narcotics in October 2012. Consistent with Trooper Schneider's training, experience, and direction, I placed the described parcel in a room at the Oneida Post Office along with four other parcels. Ema examined the room and Trooper Schneider told me that Ema alerted to the presence of controlled substances in the subject Priority Mail parcel. Ema did not alert on any of the other four parcels. I took custody of the subject Priority Mail parcel and it has remained in my custody at the U.S. Postal Inspection Service office located in Oneida, Eastern District of Wisconsin.
7. Postal Regulation Sec. 274.31 of the United States Postal Service Administrative Support Manual states that no one may detain mail sealed against inspection, except under the following condition: A Postal Inspector acting diligently and without avoidable delay, upon reasonable suspicion, for a brief period of time, to assemble evidence sufficient to satisfy the probable-cause requirement for a search warrant issued by a Federal Court.
8. For these reasons, there is probable cause that the aforementioned subject Priority Mail parcel contains controlled substances, including narcotics, narcotic paraphernalia or proceeds from narcotic trafficking. I am seeking the issuance of a warrant to search this

parcel, and the contents contained therein, for contraband and evidence of a crime, namely, possession and possession with the intent to distribute controlled substances, and use of the mails to commit a controlled substance felony, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), and 844.



DERIK THIEME
U.S. Postal Inspector

Subscribed and sworn to before me this 14 day of May, 2013



THE HONORABLE JAMES R. SICKEL
United States Magistrate Judge
Eastern District of Wisconsin